April 13, 2023

The Mayor and Common Council convened in open session in the Hackettstown Municipal Building, 215 Stiger Street, Hackettstown, New Jersey at 7:00 PM on April 13, 2023. The meeting opened with a salute to the Flag.

Mayor DiMaio announced that this meeting was being held in accordance with the Open Public Meetings Act by:

1. Posting a notice of said meeting on the bulletin board in the lobby of the Municipal Building;
2. Causing a notice of said meeting to be sent to the Daily Record and NJ Herald;
3. Posting notice on the Municipal website www.Hackettstown.net.
4. Furnishing a notice of said meeting to anyone requesting it in accordance with the Open Public Meetings Act; and
5. Filing a notice of said meeting with the Town Clerk.

Roll Call: Present – Mayor DiMaio, Councilpersons Becker, Engelau, Lambo and Sheldon

Absent – Councilperson Kunz and Tynan

Mayor DiMaio presented a proclamation in recognition of Older Americans Month.

Mayor DiMaio administered the Oath of Office to Police Chief Aaron Perkins.

Motion was made (Sheldon) and seconded (Lambo) to approve the minutes of the regular meeting held on March 9, 2023 as submitted.

Roll Call Vote: Yes – Becker, Engelau, Lambo and Sheldon

Motion was made (Sheldon) and seconded (Becker) to approve the minutes of the executive session held on March 9, 2023 as submitted.

Roll Call Vote: Yes – Becker, Engelau, Lambo and Sheldon

Motion was made (Sheldon) and seconded (Lambo) to approve the minutes of the regular meeting held on March 23, 2023 as submitted.

Roll Call Vote: Yes – Becker, Lambo, Sheldon

Abstain – Engelau

Motion was made (Sheldon) and seconded (Lambo) to approve the minutes of the executive session held on March 23, 2023 as submitted.

Roll Call Vote: Yes – Becker, Lambo, Sheldon

Abstain – Engelau

Mayor DiMaio opened the Public Municipal Consent Hearing for the Comcast Renewal Agreement.

Rob Clifton, Senior Director of Government Affairs, spoke regarding the renewal of the franchise in Hackettstown.

Motion was made (Sheldon) and seconded (Lambo) to close the Public Hearing.

Roll Call Vote: Yes – Becker, Engelau, Lambo and Sheldon

Motion was made (Lambo) and seconded (Engelau) that ordinance #2023-03 entitled, AN ORDINANCE OF THE TOWN OF HACKETTSTOWN TO EXTINGUISH A 15’ WIDE

April 13, 2023 (continued)

DRAINAGE EASEMENT IN RELATION TO THE PROPERTY DESIGNATED ON THE TAX MAP OF THE TOWN AS BLOCK 21, LOT 18.03, AS SUCH EASEMENT IS NO LONGER NECESSARY, be introduced and passed on first reading and that a public hearing be held thereon and it be considered for final passage at 7:00 PM on May 11, 2023; the Town Clerk to publish the ordinance together with Notice of Hearing in the Daily Record, to post the ordinance and Notice of Hearing on the bulletin board in the lobby of the Municipal building, and to make copies of the ordinance available to members of the general public who request such copies.

Roll Call Vote: Yes – Becker, Engelau, Lambo

No – Sheldon

Motion was made (Sheldon) and seconded (Lambo) to introduce the 2023 Municipal Budget.

Roll Call Vote: Becker, Engelau, Lambo and Sheldon

Motion was made (Sheldon) and seconded (Lambo) to adopt the following resolution:

Resolution

WHEREAS, the 2023 Temporary Budget of the Mayor and Council of the Town of Hackettstown, as adopted January 1, 2023, appropriated sufficient funds to cover the Town’s financial obligations for the first three months of the calendar year, and

WHEREAS, due to a revision in the State budget calendar the 2023 budget will not be adopted by April 30th,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Hackettstown, that the temporary budget be extended, and that the appropriations be increased by one twelfth of appropriations made for all purposes in the budget for the year 2022, excluding appropriations made for debt service, capital improvement fund and public assistance.

Roll Call Vote: Yes – Becker, Engelau, Lambo and Sheldon

Motion was made (Engelau) and seconded (Becker) to adopt the following resolution:

Resolution

WHEREAS, there was a vacancy for the Chief of Police position in the Hackettstown Police Department, and

WHEREAS, the NJ Civil Service Commission has promulgated a list of eligible candidates who have qualified by competitive examination for the appointment to the position of Chief of Police, and

WHEREAS, Lieutenant Aaron Perkins is on the list of eligible candidates,

NOW, THEREFORE, BE IT RESOLVED that Lieutenant Aaron Perkins be appointed to the position of Chief of Police for the Town of Hackettstown effective March 2, 2023, at an annual base salary of $139,444.00 and an annual longevity rate of $4,682.00.

Roll Call Vote: Yes – Becker, Engelau, Lambo and Sheldon

Motion was made (Sheldon) and seconded (Lambo) to adopt the following resolution:

Resolution

WHEREAS, the Town of Hackettstown has a need to acquire special legal representation for cannabis licensingas a non-fair and open contract pursuant to the provisions of NJSA 19:44A-20.4-20.5, and,

WHEREAS, the Chief Financial Officer/Qualified Purchasing Agent has determined and certified in writing that the value of the contract may exceed $17,500; and,

April 13, 2023 (continued)

WHEREAS, the anticipated term of this contract is2023, and may be extendedmultiple times as approved by this governing body*;* and

WHEREAS,Connell Foleyhas submitted a proposal dated March 30, 2023 indicating they will provide special legal counselat the rate of $225.00 per hour; and

WHEREAS, Connell Foleyhas completed and submitted a Business Entity Disclosure Certification which certifies Connell Foley has not made any reportable contributions to a political or candidate committee in the Town of Hackettstownin the previous one year, and that the contract will prohibit the firm ofConnell Foleyfrom making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer/Qualified Purchasing Agent has certified that funds are available for award of this contract,

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Town of Hackettstown authorizes the Town of Hackettstown to enter a contract with Connell Foleyas described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution*.*

Roll Call Vote: Yes – Becker, Engelau, Lambo and Sheldon

Motion was made (Sheldon) and seconded (Lambo) to adopt the following resolution:

Resolution:

WHEREAS, the Tax Collector of the Town of Hackettstown has been paid the amount necessary to redeem with interest calculated in accordance with the New Jersey Statutes on property known on the Tax Map and in the Tax Duplicate as the following municipal lien:

Block 88, Lot 11 307 W Moore St

Tax Sale Certificate #20-00144

Assessed to: Painter, Mark R & Mary C

NOW, THEREFORE, BE IT RESOLVED on this 13th day of April, 2023 that the Chief Financial Officer is hereby authorized to issue a check for $43,778.99 plus a $33,100 premium to total $76,878.99 to the lienholder:

US Bank Cust for Tower DB X

50 S 16th St Suite 2050

Philadelphia, PA 19102

Roll Call Vote: Yes – Becker, Engelau, Lambo and Sheldon

Motion was made (Sheldon) and seconded (Lambo) to appoint Ryan Windels to the position of 2nd Alternate Prosecutor effective April 14, 2023.

Roll Call Vote: Yes – Becker, Engelau, Lambo and Sheldon

Motion was made (Sheldon) and seconded (Lambo) to approve the taxicab owner’s license application for Ana Ramirez, AMR Car Service, for a 2009 Honda Wagon, VIN# 5FNRL386X9B018240 through May 1, 2024.

Roll Call Vote: Yes – Becker, Engelau, Lambo and Sheldon

Motion was made (Sheldon) and seconded (Becker) to approve the taxicab owner’s license for Ada Garcia, A&G Taxi & Limo Service for a 2012 Toyota Wagon, VIN# 5TDDK3DC0C5030618 through May 1, 2024.

April 13, 2023 (continued)

Roll Call Vote: Yes – Becker, Engelau, Lambo and Sheldon

Motion was made (Sheldon) and seconded (Lambo) to approve the taxicab owner’s license for Martha Allardice, Tia’s Taxi & Limo, LLC for a 2015 Honda Odyssey, VIN# 45FNRL5H67FB007798 through May 1, 2024.

Roll Call Vote: Yes – Becker, Engelau, Lambo and Sheldon

Motion was made (Sheldon) and seconded (Becker) to approve the taxicab driver’s license application for Ana Ramirez through May 1, 2024.

Roll Call Vote: Yes – Becker, Engelau, Lambo and Sheldon

Motion was made (Sheldon) and seconded (Engelau) to approve the taxicab driver’s license application for Derek Allardice through May 1, 2024.

Roll Call Vote: Yes – Becker, Engelau, Lambo and Sheldon

Motion was made (Sheldon) and seconded (Engelau) to approve the taxicab driver’s license application for Martha Allardice through May 1, 2024.

Roll Call Vote: Yes – Becker, Engelau, Lambo and Sheldon

Motion was made (Engelau) and seconded (Sheldon) to approve check register #2023-7 in the amount of $3,023,261.36.

Roll Call Vote: Yes – Becker, Engelau, Lambo and Sheldon

Motion was made (Sheldon) and seconded (Lambo) to approve the special event license application for the Hackettstown BID to hold Late Night Thursdays every Thursday from July 13, 2023 through August 24, 2023, to waive the $50.00 application fee and to charge no Town costs.

Roll Call Vote: Yes – Becker, Engelau, Lambo and Sheldon

Motion was made (Sheldon) and seconded (Lambo) to approve the special event license application for the House of the Good Shepherd to hold a Wine and Dine on June 1, 2023, to waive the $50.00 application fee and to charge no Town costs.

Roll Call Vote: Yes – Becker, Engelau, Lambo and Sheldon

Motion was made (Sheldon) and seconded (Lambo) to approve the DPW purchase order for Spring Tree Plantings from Trend Landscaping, Budd Lake, NJ in the amount $8,910.00.

Roll Call Vote: Yes – Becker, Engelau, Lambo and Sheldon

Motion was made (Sheldon) and seconded (Becker) to start the hiring process for two police officers, Jeffrey Anderson and Harold Ruiz.

Roll Call Vote: Yes – Becker, Engelau, Lambo and Sheldon

Mayor DiMaio asked if anyone from the public would like to speak at this time.

Lauren Jensen, 201 E. Valley View Avenue, Hackettstown, spoke regarding problems she is having with a neighbor running an illegal business out of their home as well as odors from their yard.

William Berman, Esquire, from the law firm Berman Rosenbach, representing property owner 3 Route 57, LLC and Shiva’s Plant, LLC spoke regarding the rejection of his client’s cannabis license application.

April 13, 2023 (continued)

Moton was made (Sheldon) and seconded (Engelau) to adjourn this meeting at 7:55 PM.

Roll Call Vote: Yes – Becker, Engelau, Lambo and Sheldon

This is to certify that the This is to certify that all

ordinances and resolutions proper notices, postings and

contained herein have been filings required by the Open

approved by me in accordance Public Meetings Act (Chapter

with law. 231, P.L. 1975) were provided

for this meeting.

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Gerald DiMaio, Jr., Mayor P.J. Reilly, Town Clerk/Administrator